

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

| | | |
|---------------------------|---|-----------------------------|
| VOITH PAPER GMBH & CO. KG | : | |
| | : | Civil Action No. 07-226-JJF |
| Plaintiff, | : | |
| | : | |
| v. | : | |
| | : | |
| JOHNSONFOILS, INC. | : | |
| | : | |
| Defendant. | : | |

**ASTENJOHNSON, INC.'S MOTION FOR PROTECTIVE ORDER
TO PROHIBIT THE DISCLOSURE AND DISCOVERY REQUESTED IN VOITH
PAPER GMBH & CO. KG'S MARCH 14, 2008 SUBPOENAS**

Third-party, AstenJohnson, Inc. ("AstenJohnson"), by and through its undersigned attorneys, respectfully moves for a Protective Order pursuant to FED. R. CIV. P. 26(c) that prohibits:

- A. all discovery requested of AstenJohnson in the March 14, 2008 Subpoena served by Voith Paper GMBH & Co. KG ("Voith") on AstenJohnson; and
- B. the discovery requested in Topic No. 7 and Request No. 5 of the March 14, 2008 Subpoenas served by Voith on Abitibi Bowater, Inc. and International Paper Company.

Support for this Motion is set forth in AstenJohnson's accompanying Brief and Exhibits.

Respectfully submitted,

Seitz, Van Ogtrop & Green, P.A.

/s/ Patricia P. McGonigle

Dated: March 24, 2008

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- and -

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*Attorneys for Third Party
AstenJohnson, Inc.*

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NOTICE OF MOTION

TO: All Parties and Counsel Appearing on the Attached
Certificate of Service

PLEASE TAKE NOTICE that third-party AstenJohnson, Inc. seeks to present its *Motion for Protective Order to Prohibit the Disclosure and Discovery Requested in Voith Paper GMBH & Co. KG's March 14, 2008 Subpoenas to the Court on Friday, May 9, 2008 at 10:00 a.m.*

Dated: March 24, 2008

Respectfully submitted,

Seitz, Van Ogtrop & Green, P.A.

/s/ Patricia P. McGonigle

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Attorneys for Third Party
AstenJohnson, Inc.

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VOITH PAPER GMBH & CO. KG

Plaintiff,

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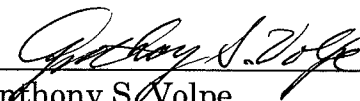
Civil Action No. 07-226-JJF

RULE 7.1.1 STATEMENT

Pursuant to Rule 7.1.1 of the Local Rules of the United States District Court for the District of Delaware, I hereby certify that counsel for third-party, AstenJohnson, Inc. ("AstenJohnson"), has made a reasonable effort to reach agreement with counsel for Plaintiff, Voith Paper GMBH & Co. KG, on the matters set forth in AstenJohnson's Motion for a Protective Order, and that the parties have not been able to reach agreement.

Respectfully submitted,

Dated: March 24, 2008



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PROPOSED ORDER

WHEREAS, third-party, AstenJohnson, Inc. (“AstenJohnson”), has filed a Motion for Protective Order; and the Court having considered the respective papers submitted by Plaintiff, Voith Paper GMBH & Co. KG (“Voith”), and AstenJohnson in support of, or in opposition to, said motion; and the Court having considered oral argument of counsel for the respective parties, if any; and the Court having considered the pleadings in this matter and the current status of the case; and for other good cause having been shown;

IT IS HEREBY ORDERED, on this _____ day of _____, 2008, that AstenJohnson’s Motion is **GRANTED**, and all discovery requested in Voith’s March 14, 2008 Subpoena to AstenJohnson is prohibited. It is further **ORDERED** that the discovery requested in Topic No. 7 and Request No. 5 of the March 14, 2008 Subpoenas directed to Abitibi Bowater, Inc. and International Paper Company is prohibited.

U.S.D.J.

CERTIFICATE OF SERVICE

I, Patricia P. McGonigle, Esquire, hereby certify that on this 24th day of March 2008, I electronically filed the foregoing pleading with the Clerk of Court using CM/ECF which will send notification of such filing to counsel of record. Further, I caused a copy of the foregoing pleading to be served upon the following counsel as noted

Plaintiff's Counsel:

Via Hand Delivery

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Via Federal Express

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Third-Parties:

Via Federal Express

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2908 Poston Avenue
Nashville, TN 37203

Via Federal Express

International Paper Company
c/o The Corporation Company
2000 Interstate Park Drive
Suite 204
Montgomery, AL 36109

Via Federal Express

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/s/ Patricia P. McGonigle

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